

**RECEIVED**

MAR 24 2011

**GAMBLING COMMISSION  
COMM & LEGAL DIVISION****STATE OF WASHINGTON  
GAMBLING COMMISSION****RECEIVED  
MAR 14 2011  
GAMBLING COMMISSION  
COMM & LEGAL DIVISION**In the Matter of the Revocation of the license to  
Conduct Gambling Activities of:Sophim Keth  
Spanaway, Washington,

Licensee.

NO. CR 2010-00463

**SETTLEMENT ORDER**

This Settlement Order is entered into between the Washington State Gambling Commission and the licensee, Sophim Keth.

H. Bruce Marvin, Assistant Attorney General, and Melinda Froud, Staff Attorney, represent the Gambling Commission. Andrew Nguyen, Attorney, represents the licensee, Sophim Keth.

**I.**

The Washington State Gambling Commission issued Sophim Keth the following license: Number 68-06748, authorizing Card Room Employee activity, formerly at Golden Nugget Casino and currently at Riverside Casino and Goldie's Shoreline Casino.

This license expires on January 10, 2012, and was issued subject to the licensee's compliance with state gambling laws and regulations.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

**II.**

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the Licensee, on August 18, 2010. The Licensee received the Notice, and on September 3, 2010, Commission staff received Mr. Keth's request for hearing and Andrew Nguyen's Notice of Appearance.

**III.**

The following summary of facts and violations were alleged in the Notice of Administrative Charges:

**SUMMARY:**

Mr. Keth, while working as a Floor Supervisor at the Golden Nugget Casino, falsely rated players' wagers in the Sonoma Player Tracking System. As a result of Mr. Keth's actions, the

2010-00463

players fraudulently accumulated a large number of points on the Sonoma system, which they redeemed at Golden Nugget Casino for gift certificates. Mr. Keth's actions resulted in his employer being defrauded.

#### **VIOLATIONS:**

##### **RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit**

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

- (1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.
- (2) Knowingly causes, aids, abets, or conspires with another to cause, any person to violate any of the laws of this state or the rules of the Commission.
- (8) Fails to prove, by clear and convincing evidence, that he is qualified in accordance with the provisions of this chapter.

##### **WAC 230-03-085 Denying, suspending, or revoking an application, license or permit**

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

- (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.
- (8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

##### **RCW 9.46.190 Violations relating to fraud or deceit**

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Employ any device, scheme, or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

2010-00463

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

**RCW 9.46.153(1) Applicants, licensees-Responsibilities, and duties-Waiver of liability-Investigation statement as privileged.**

It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

**IV.**

Sophim Keth requested a hearing in this matter, but prior to commencement of the hearing, he waived his right to a hearing based on the terms and conditions of this Settlement Order. The licensee further agrees to the following sanctions:

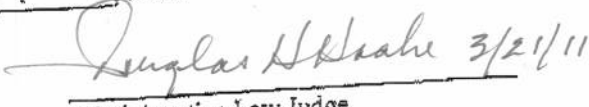
- 1) **Sophim Keth shall surrender his Card Room Employee license(s) no later than March 18, 2011**, by either delivering these license(s) to the Gambling Commission's Communications and Legal Division, located at 4565 7<sup>th</sup> Avenue SE, Lacey, or by mailing the license(s) to the Gambling Commission, Attention Communication and Legal Division, at P.O. Box 42400, Olympia, 98504-2400.
- 2) In the event Mr. Keth applies for a certification or gambling license, he will be subject to all the Commission's investigative procedures for processing an application for a gambling license. Furthermore, no promises or assurances have been made to Mr. Keth that he will receive a certification or license from the Commission should he apply.
- 3) Mr. Keth shall have no involvement directly or indirectly, whether paid or unpaid, in the operation, ownership, or financing of any business in Washington State which is applying for, or holds, a gambling license or permit or is involved with any gambling activity, including punchboard/pull-tab activity. However, this does not prevent Mr. Keth from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.
- 4) **The signed Settlement Order must be received by Commission staff by March 4, 2011, and mailed to Commission Headquarters at the following address:**

Washington State Gambling Commission  
Attention: Communications and Legal Division  
P.O. Box 42400  
Olympia, WA 98504-2400

**Or delivered** (in person or via private courier) to the following address:

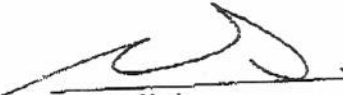
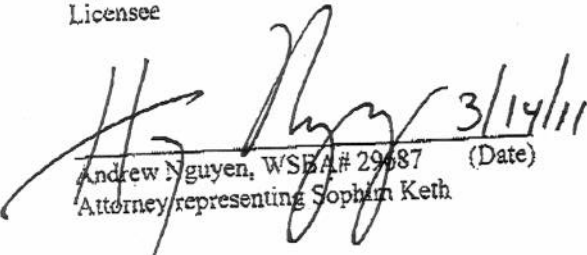
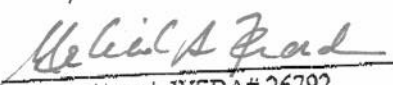
Washington State Gambling Commission  
4565 7<sup>th</sup> Avenue SE; Fourth Floor  
Attention: Communications and Legal Division Lacey, WA 98503

2010-00463

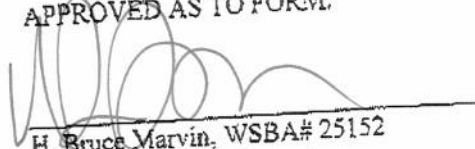
DATED this 11 day of March, 2011.  
Administrative Law Judge

By his signature, the Licensee  
Understands and accepts the terms  
And conditions of this Order

APPROVED FOR ENTRY:

  
Sophim Keth  
Licensee3/11/11  
(Date)  
Andrew Nguyen, WSBA# 29687 (Date)  
Attorney representing Sophim Keth  
Melinda Froud, WSBA# 26792  
Staff Attorney  
Washington State Gambling Commission

APPROVED AS TO FORM:

  
H. Bruce Marvin, WSBA# 25152  
Assistant Attorney General  
Representing the Washington State  
Gambling Commission